

## Message

**From:** Woods, Terry [Woods.Terry@epa.gov]  
**Sent:** 4/20/2016 6:25:54 PM  
**To:** Weckesser, Mike [Weckesser.Mike@epa.gov]; Russ, Michael [russ.michael@epa.gov]; Ambutas, Kestutis [Ambutas.Kestutis@epa.gov]; Mayo, Kathleen [mayo.kathleen@epa.gov]; Wester, Barbara [wester.barbara@epa.gov]  
**CC:** Fontaine, Tim [Fontaine.Tim@epa.gov]; Spraul, Greg [Spraul.Greg@epa.gov]; Upton, Jennifer [Upton.Jennifer@epa.gov]  
**Subject:** FW: HAC QFRs update April 20  
**Attachments:** MCC-011-OBmgmEditst.docx

Hi All....

The attached document contains OCFO management comments to the McCollum 011. Please provide a response as soon as possible. Thank you!

Major comment is they would like the last part [pasted below] of the answer summarized:

In the Region 5 impaired waters list/TMDL program, consultation with tribes occurred in 2012 and in 2014 on the EPA's review of Minnesota's biennial Section 303(d) list of impaired waters and the revisions to the Minnesota Statewide Mercury TMDL in 2012 and 2014. The EPA's discussions with Tribal representatives on these topics have included Tribal concerns related to wild rice waters in Minnesota and the potential deleterious impacts of elevated sulfate concentrations on Tribal waters and waters upstream of Tribal reservation lands. In September 2015, the EPA held a Tribal consultation discussion on the EPA's review of the Minnesota 2014 Section 303(d) submittal with representatives of the Fond du Lac and Grand Portage tribes. The EPA is currently reviewing the concerns raised by the tribes during this discussion in the context of the EPA's final action on the 2014 303(d) list. The EPA anticipates re-engaging the tribes to discuss the EPA's consideration of Tribal concerns on the 2014 303(d) list in the Spring of 2016.

Specific interactions with tribes involving sulfide mining as well as other mining issues, have included both formal consultation with Tribal leaders and representatives, as well as informational meetings with Tribal staff; several of those are listed below. In addition, the Region holds several sets of monthly calls with Tribal staff to discuss water program, mining and WQS issues.

- Crandon Mine – Close coordination and consultation with Sokaogon Chippewa Community, Forest County Potawatomi, and Menominee Tribes on water resource issues and other issues.
- White Pines Mine – Close coordination and consultation with Bad River, Lac du Flambeau on water resource issues and other issues.
- Gogebic Mine – Close coordination and consultation with the Bad River Tribe on water resource issues and other issues.
- Mesabi Nugget (December 2012) – Formal consultation on Minnesota's WQS variance for specific conductance, bicarbonate, hardness, and dissolved solids.
- PolyMet Corporation–NorthMet Project (proposed copper/nickel/precious metals mine) (April 2016) – Informal discussion with Tribal staff on their concerns related to the Environmental Impact Statement and permitting under the Clean Water Act.
- Potential Revisions to Minnesota's Wild Rice WQS (August 2015; April 2016) – Staff attended Minnesota's formal discussions with tribes (Aug 2015) and had informal discussions with Tribal staff and Tribal leaders (April 2016).
- Minnesota's Section 303(d) Impaired Waters List (September 2015) – Formal consultation on the Minnesota 303(d) list including concerns about potential deleterious impacts of elevated sulfate concentrations on Tribal waters and waters upstream of Tribal reservation lands.

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